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DECISION DIRECTOR'S OFFICE
ON PETITION TECHNOLOGY CENTER 2600

In re Application of:
Hidetoshi Mishima, et al.
Application Serial No.: 10/083,475
Filed: February 27, 2002

For: **DIGITAL VIDEO SIGNAL RECORD AND
PLAYBACK DEVICE AND METHOD FOR
SELECTIVELY REPRODUCING DESIRED
VIDEO INFORMATION FROM AN OPTICAL
DISK**

This is a decision on the petition, filed on August 19, 2005 under 37 C.F.R. §1.181 requesting an expedited action on the merits. This petition has been considered a request to affirm that this application is under "special" status in accordance with 37 CFR 1.102.

Applicant has amended their application on February 27, 2002 to contain specific reference to earlier filed applications, e.g., SN. 09/520,283, filed March 6, 2000 which is a divisional of SN 09/329,333 (Patent No. 6,134,382) filed June 10, 1999 and that is a divisional of 08/877,875 filed on June 18, 1997 (Patent No. 6,009,236) which is a continuation of 08/533,109 filed September 25, 1996 (abandoned).

708.01 [R-2] List of Special Cases, states in part:

(I) Applications pending more than 5 years, including those which, by relation to a prior United States application, have an effective pendency of more than 5 years. See MPEP § 707.02. [emphasis added]

In accordance with MPEP section 708.01(I), applications which by relation to a prior United States application and pending over 5 years, are considered special. This application by virtue of its prolonged pendency is considered special in accordance with PTO policy.

Accordingly, the petition is Granted.

The examiner will be notified that this application should be considered as "special" and appropriate for expedited action.

Dwayne Bost
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